

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Sharon A. King  
v. : Mag. No. 20-5586 (SAK)  
BRIAN SMITH :

ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Alisa Shver and Jeffrey Bender, Assistant U.S. Attorneys, appearing), and defendant Brian Smith (Edward F. Borden, appearing), for an order granting a continuance of the proceedings in the above-captioned matter for a period of approximately 90 days to permit the parties time to present an executed plea agreement to the district court; the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his initial appearance pursuant to Title 18, United States Code, Section 3161(b); the defendant having consented to this continuance; and defendant having waived his right to a speedy trial, and for good cause shown:

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) The defendant and his counsel have signed an agreement to plead guilty, and the parties seek additional time for an Information to be filed and for the district court to have an opportunity to schedule a change-of-plea hearing;
- (2) The defendant has consented to the continuance; and

(3) Pursuant to Title 18, United States Code, Sections 3161(h)(1)(A) and 3161(h)(7)(A),  
the ends of justice served by granting the continuance outweigh the best interest of  
the public and the defendant in a speedy trial.

IT IS, therefore, on this 9<sup>th</sup> day of June 2022,

ORDERED that this action be, and hereby is, continued for a period of approximately 90  
days from the date of the entry of this Order to and including September 10, 2022, and it is further

ORDERED that the period from the date of the entry of this Order through and including  
September 10, 2022, shall be excludable in computing time under the Speedy Trial Act of 1974.

  
HON. SHARON A. KING  
United States Magistrate Judge

Seen and agreed to by:

/s/Jeffrey Bender  
JEFFREY BENDER  
ALISA SHVER  
Assistant U.S. Attorneys

  
EDWARD F. BORDEN, ESQUIRE  
Counsel for Defendant Brian Smith